

1 AN ORDINANCE approving the awarding of  
2 Reference #970 by the City of Fort  
3 Wayne, Indiana, by and through its  
4 Department of Purchasing and JONES  
5 CHEMICALS, INC. for the Three Rivers  
6 Filtration Plant.

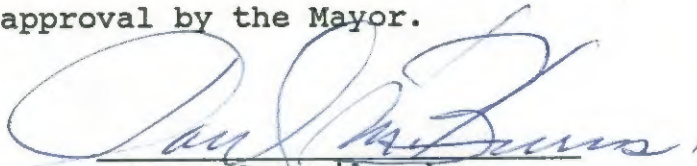
7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
8 THE CITY OF FORT WAYNE, INDIANA;

9 SECTION 1. That Reference #970 between the City of  
10 Fort Wayne, by and through its Department of Purchasing and  
11 JONES CHEMICALS, INC. for the Three Rivers Filtration Plant,  
12 respectfully for:

13 the purchase and delivery of liquid  
14 chlorine for the Three Rivers Filtration  
15 Plant;

16 involving a total cost of Eleven Thousand Three Hundred Two  
17 and 60/100+/- Dollars (\$11,302.60), all as more particularly  
18 set forth in said Reference #970 which is on file in the  
19 Office of the Department of Purchasing, and is by reference  
20 incorporated herein, made a part hereof, and is hereby in  
21 all things ratified, confirmed and approved.

22 SECTION 2. That this Ordinance shall be in full force  
23 and effect from and after its passage and any and all  
24 necessary approval by the Mayor.

25   
26 Councilmember

27 APPROVED AS TO FORM  
28 AND LEGALITY

29   
30 J. Timothy McCaulay, City Attorney  
31  
32

REF. NO.: 970  
DEPT.: FILTRATION PLANT  
DATE: 11/21/90  
ITEM/SERV.: LIQUID CHLORINE

PURCHASING INFORMATION

ADVERTISED BID: YES  
DATES ADVERTISED: 10/12/90 & 10/19/90  
OPENING DATE: 11/8/90  
WRITTEN QUOTE:  
DUE DATE:  
VERBAL QUOTE:  
SINGLE SOURCE:  
NO. OF VENDORS NOTIFIED: 33  
NO. OF VENDORS RECEIVING BID: 10  
NO. OF VENDORS RETURNING BID: 4  
NO. OF VENDORS DISQUALIFIED: 0  
NO. OF VENDORS NOT RESPONDING: 29  
DATE SENT TO DEPT FOR RECOMM.: 11/14/90  
DATE RECOMMENDATION REC'D IN PURCH: 11/20/90  
COUNCIL INFORMATION DATES SENT EXTENSION DATES  
DATE INFO SENT TO LAW DEPT.: 11/21/90  
INTRODUCTION DATE: 11/27/90  
DISCUSSION DATE: 12/4/90  
PASSAGE DATE: 12/11/90  
ORDINANCE NO.:



REFERENCE NO. 970  
LIQUID CHLORINE  
FILTRATION PLANT

DESCRIPTION	QTY	ULRICH CHEMICAL		CARDINAL CHEMICAL		K A STEEL CHEMICAL		JONES CHEMICAL	
COST CAR TON PROD	124	N/B	\$0.00	N/B	\$0.00	N/B	\$0.00	\$91.15	\$11,302.60
FRGHT TRCK COST TON		N/B		N/B		N/B		\$0.00	
DEMURRAGE		N/B		N/B		N/B		N/B	
FRGHT RAIL COST TON		\$126.30		N/B		N/B		\$0.00	
DEMURRAGE		\$50.00		N/B		N/B		\$0.00	
COST CYL TON PROD	124	\$450.00	\$55,800.00	\$340.00	\$42,160.00	\$400.00	\$49,600.00	\$300.00	\$37,200.00
FRGHT TRCK COST TON		N/B		N/B		INCLD		\$0.00	
DEMURRAGE		N/B		N/B		\$750.00		\$750.00	
FRGHT RAIL COST TON		N/B		N/B		N/B		\$0.00	
DEMURRAGE		N/B		N/B		N/B		\$0.00	
DELIVERY TIME ARO				3-5 DAYS		3 DAYS		2-5 DAYS	

ROWELL CHEMICAL CORPORATION - NO BID

BONDED CHEMICALS - NO BID

FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 11-8-90 @ 11:00 AM BID REFERENCE # 970

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR THE 1991 REQUIREMENTS FOR  
LIQUID CHLORINE FOR THE THREE RIVERS FILTRATION PLANT

AND REQUESTED BY THREE RIVERS FILTRATION PLANT

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A \_\_\_\_\_ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: \_\_\_\_\_% IF PAID WITHIN \_\_\_\_\_ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Jones Chemicals, Inc.

STREET ADDRESS 600 Bethel Avenue

CITY Beech Grove, IN PHONE # 317-787-8381

BY Bradley J. Schultz  
REPRESENTATIVE SIGNATURE Bradley J. Schultz, Br. Mgr.

November 6, 1990



CITY OF FORT WAYNE  
LIQUID CHLORINE REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF LIQUID CHLORINE FOR THE THREE RIVERS FILTRATION PLANT.

THESE SPECIFICATIONS COVER LIQUID CHLORINE FOR USE IN TREATMENT OF PUBLIC WATER SUPPLIES IN ACCORDANCE WITH THE AMERICAN WATER WORKS ASSOC STAND. FOR LIQUID CHLORINE, AWWA-B301-59.

IMPURITIES - THE CHLORINE SUPPLIED UNDER THESE SPECS SHALL BE 99.5% PURE BY VOLUME AS OBTAINED FROM VAPORIZED LIQUID CHLORINE.

THE CHLORINE SHALL NOT CONTAIN SOLUBLE MINERAL OR ORGANIC SUBSTANCES IN QUANTITIES CAPABLE OF PRODUCING DELETERIOUS OR INJURIOUS EFFECTS UPON PUBLIC HEALTH, WATER QUALITY OR CHLORINE EQUIPMENT.

LIQUID CHLORINE SHALL BE SUPPLIED IN 1-TON CYLINDERS AND 30 OR 55 TON SINGLE UNIT TANK CARS.

THE SINGLE-UNIT TANK CARS SHALL CONFORM TO APPLICABLE REGULATIONS OF THE INTERSTATE COMMERCE COMMISSION. THE CARS SHALL BE RECONDITIONED, MAINTAINED, AND LOADED IN STRICT ACCORDANCE WITH THE LATEST EDITIONS OF THE "CONTAINER PROCEDURE OF CHLORINE PACKAGING PLANTS", ISSUED BY THE CHLORINE INST. INC.

THE TANK CARS ARE TO BE RETURNED TO THE SHIPPER FREIGHT COLLECT. NO DEMURRAGE CHARGE SHALL BE MADE FOR THE USE OF THE TANK CARS.

THE SUPPLIER SHALL FURNISH THE CITY WITH EACH SHIPMENT - THE NUMBER OF THE CAR, THE GROSS, TARE AND NET WEIGHT OF CHLORINE IN THE CAR.

SHIPMENTS ARE TO BE MADE AS ORDERED BY THE CITY AND DELIVERED FOB THREE RIVERS FILTRATION PLANT.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT.

THE ANNUAL REQUIREMENTS FOR LIQUID CHLORINE IS ESTIMATED AT 124 TON. ACTUAL QUANTITIES PURCHASED MAY BE MORE OR LESS.

TERM OF AGREEMENT: FROM TIME OF AWARD THRU 12-31-91

COST CAR TON PROD.:	\$ 91.15/TON
FRGHT TRCK COST TON:	\$ -0-
DEMURRAGE:	\$ 120 Days Free, \$50.00 a day thereafter
FRGHT RAIL COST TON:	\$ -0-
DEMURRAGE:	\$ -0-
COST CYL TON PROD.:	\$ 300.00/TON
FRGHT TRCK COST TON:	\$ -0-
DEMURRAGE:	\$ 750.00/EACH
FRGHT RAIL COST TON:	\$ -0-
DEMURRAGE:	\$ -0-
DELIVERY TIME ARO:	10-14 Days Rail Car, 2-5 Days Tons
TOTAL FOR 124 TON:	\$



# BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: Nov. 6, 1990

1. Governmental Unit: City of Fort Wayne, In (Three Rivers Filtr Plt)

2. County: Allen

3. Bidder (Firm): JONES CHEMICALS, INC.  
Address: 600 Bethel Avenue  
City/State: Beech Grove, IN 317-787-8381

4. Telephone Number: Beech Grove, IN 317-787-8381

5. Agent of Bidder (if applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers bid(s) to \_\_\_\_\_ (Gov-  
ernmental Unit) in accordance with the following attachment(s) which specify the class or item number or  
description, quantity, unit, unit price and Total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or  
alterations in the items specified will render such bid void as to that class or item. Bidder promises that  
he has not offered nor received a less price than the price stated in his bid for the materials included in  
said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A  
certified check or bond shall be filed with each bid if required, and liability for breach shall be enforce-  
able upon the contract, the bond or certified check or both as the case may be.

Bradley J. Schultz  
Signature of Bidder or Agent  
Bradley J. Schultz, Br. Mgr.

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body.  
Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
                          ) SS:  
Marion COUNTY )

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other  
member, representative, or agent of the firm, company, corporation or partnership represented by him,  
entered into any combination, collusion or agreement with any person relative to the price to be bid by  
anyone of such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding,  
and that this bid is made without reference to any other bid and without any agreement, understanding or  
combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly  
or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Jones Chemicals, Inc.  
Bidder (Firm)

Bradley J. Schultz  
Signature of Bidder or Agent

Subscribed and sworn to before me this 7th day of November 19 90

Bradley J. Schultz,  
Br. Mgr.

My Commission Expires: 1-7-1992

County of Residence: Johnson

Patricia L. Martin  
Notary Public

Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of  
(Governmental Unit) hereby accepts the terms of the attached bid for  
classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price  
quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_



# INSURANCE COMPANY OF NORTH AMERICA PHILADELPHIA PENNSYLVANIA

## Proposal or Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE Jones Chemicals, Inc.  
600 Bethel Ave.

Beech Grove, IN 46107

as principal, and the INSURANCE COMPANY OF NORTH AMERICA, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal place of business at Philadelphia, Pa., as surety, are held and firmly bound unto the City of Fort Wayne, IN

as obligee, in the penal sum of Five Percent Amount Bid  
DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 19th day of October

A. D. 1990

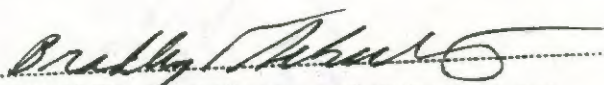
WHEREAS, the said principal is herewith submitting proposal for

Furnish chlorine in one ton containers and rail cars.

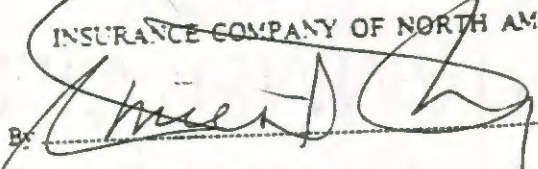
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the aforesaid principal shall be awarded the contract, the said principal will within the period specified therefor, or, if no period be specified, within ten (10) days after the notice of such award enter into a contract and give bond for the faithful performance of the contract, then this obligation shall be null and void, otherwise the principal and the surety will pay unto the obligee the difference in money between the amount of the bid of the said principal and the amount for which the obligee may legally contract with another party to perform the work if the latter amount be in excess of the former; in no event shall the liability hereunder exceed the penal sum hereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any suits at law or proceedings in equity brought or to be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surety within ninety (90) days after the acceptance of said bid of the Principal by the Obligatee.

Jones Chemicals, Inc.

  
BRADLEY J. SCHULTZ, BRANCH MANAGER

INSURANCE COMPANY OF NORTH AMERICA

  
By Vincent Moy

Attorney-In-Fact



STATE OF New York

COUNTY OF New York

On this 19th day of October, 1990, before me personally appeared Vincent Moy to me known who, being by me duly sworn, did depose and say That he resides in New York

that he is Attorney-in-Fact of the INSURANCE COMPANY OF NORTH AMERICA, the corporation described in and which executed for foregoing instrument that he knows the corporate seal of the said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto as Attorney-in-Fact by order of the Board of Directors of said Corporation, and the deponent saith further that the Superintendent of Insurance of the State of New York has, pursuant to Section 327 of the Insurance Law of the State of New York, issued to the INSURANCE COMPANY OF NORTH AMERICA his certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings and other obligations or guarantees, as provided in the Insurance Law of the State of New York and all laws amendatory thereof and supplementary thereto, and that such certificate has not been revoked, and that the assets of said Company, unencumbered and liable to execution exceed its debts and liabilities of every nature whatsoever, by Seven Hundred Thirteen Million Dollars (\$713,000,000)

Witness my hand and seal, this 19th day of October, 1990  
Notary Public, State of New York  
No. 43-4914252

(Seal)

Qualified in Richmond County  
Commission Expires April 25, 1992

*Annette L. Rivera*

COPY OF RESOLUTION

BE IT REMEMBERED, that at a meeting of the Board of Directors of the INSURANCE COMPANY OF NORTH AMERICA, duly called and held at the office of the Company, in the City of Philadelphia, State of Pennsylvania, on the 5th day of December, 1983, a quorum being present, the following Resolution was duly adopted

RESOLVED, That pursuant to Articles 3 18 and 5 1 of the By-Laws the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof

- (1) That the President, or any Senior Vice President, any Vice President, any Assistant Vice President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary and the seal of the Company affixed thereto, and that the President, any Senior Vice President, any Vice President, or any Assistant Vice President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company, thereto
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company as though signed by the President and attested to by the Corporate Secretary
- (3) The signature of the President, or a Senior Vice President, or a Vice President, or an Assistant Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying Officer and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company
- (4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority, to certify, or verify, copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company, necessary to the discharge of their duties
- (5) The passage of this Resolution does not revoke any earlier authority, granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975, and March 27, 1977

Financial Statement December 31, 1989

Admitted Assets		Liabilities	
Bonds	\$1,844,727,020	Reserve for Unearned Premiums	\$ 767,198,948
Short-Term Investments	246,541,385	Reserve for Losses	3,049,524,328
Stocks	682,229,742	Reserve for Taxes	10,868,348
Real Estate	10,744,657	Funds Held Under Reinsurance Treaties	2,023,015
Cash on Hand and in Bank	121,580,651	Other Liabilities	362,812,280
Premium in Course of Collection*	227,152,902	TOTAL LIABILITIES	4,192,226,918
Interest Accrued	50,774,189		
Other Assets	1,843,248,719	Capital: 11,357,109 Shares, \$5 par value	58,785,645
TOTAL ASSETS	\$5,026,999,285	Capital: Paid In	672,648,981
		Surplus (Unassigned)	105,337,838
		SURPLUS TO POLICYHOLDERS	834,772,364
		TOTAL	\$5,026,999,282

(\*Excludes premiums more than 90 days due)

It is hereby certified that \_\_\_\_\_ has been appointed Attorney-in-Fact of the INSURANCE COMPANY OF NORTH AMERICA at New York that said appointment is in full force and effect as of the date hereof, that said appointment was made under and by authority of the foregoing Resolution, or one of the aforementioned earlier Resolutions, which said Resolution has been compared by me with the original thereof as recorded in the minute book of said Company and is a true and correct transcript thereof and is in full force and effect, and that the foregoing is a true and correct statement of the financial condition of the said Company, as of December 31, 1988

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said corporation this 19th day of October, 1990

*James A. Nyllis*  
Secretary



**POWER OF  
ATTORNEY**

Insurance Company of North America  
a CIGNA company



258150

**Know all men by these presents:** That **INSURANCE COMPANY OF NORTH AMERICA**, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Philadelphia, Pennsylvania, pursuant to the following Resolution, which was adopted by the Board of Directors of the said Company on December 5, 1983, to wit:

"RESOLVED, That pursuant to Articles 3.18 and 5.1 of the By-Laws, the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

- (1) That the President, any Senior Vice President, any Vice President, any Assistant Vice President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the President, any Senior Vice President, any Vice President or any Assistant Vice President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.
- (3) The signature of the President, or a Senior Vice President, or a Vice President, or an Assistant Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying Officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.
- (4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.
- (5) The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975 and March 23, 1977."

does hereby nominate, constitute and appoint **HOWARD R. BOYLE, JAMES P. REILLY, ANNETTE L. RIVERA, DEBRA CARNEGIE, JUSTIN C. LARKMAN, PAULA WHITE, JENNIFER C. BOLSTER, and VINCENT MOY,** all of the City of New York, State of New York-----

-----, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding **FIVE MILLION-----** DOLLARS (\$ **5,000,000.** ) each, and the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said R. E. Giveans, Vice-President, has hereunto subscribed his name and affixed the corporate seal of the said **INSURANCE COMPANY OF NORTH AMERICA** this 14th day of September 1990



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

ss.

**INSURANCE COMPANY OF NORTH AMERICA**

by

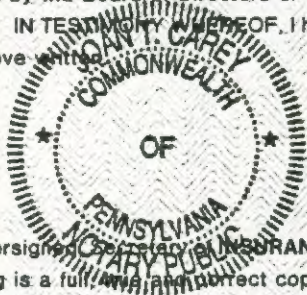
*R. E. Giveans*

R. E. GIVEANS, Vice President

On this 14th day of September, A.D. 1990, before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came R. E. Giveans, Vice-President of the **INSURANCE COMPANY OF NORTH AMERICA** to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.

(SEAL)



NOTARIAL SEAL  
JOAN T. CAREY, Notary Public  
Philadelphia, Philadelphia County  
My Commission Expires September 14, 1992

*Joan T. Carey*

Notary Public

I, the undersigned Secretary of **INSURANCE COMPANY OF NORTH AMERICA**, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a full and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Corporation, this 19th day of October 1990



James S. Wyllie

Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER Sept. 14, 1992



# BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: 11/7/90

1. Governmental Unit: CITY OF FEE WAYNE

2. County: Allen County, Ind

3. Bidder (Firm): Rowell Chemical Corporation

Address: 15 SALT CREEK LN

City/State: HINDALE, ILL 60521

4. Telephone Number: 708-920-8833

5. Agent of Bidder (if applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FEE WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

David L Edwards  
Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
---------------	----------	------	-------------	------------	--------

*No bid - But please keep our name on your bid list. Enclosed is postage paid envelope & request bid results*

Illinois  
STATE OF INDIANA )  
DuPage COUNTY ) SS:

## NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Rowell Chemical Corp  
Bidder (Firm)  
David L Edwards  
Signature of Bidder or Agent

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires: \_\_\_\_\_

County of Residence: \_\_\_\_\_

Notary Public

Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of \_\_\_\_\_ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Read the first time in full and on motion by Burns, seconded by Bradbury, and duly adopted, read the second time, title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., E.S.

DATED: 11-27-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Bradbury, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT				
TALARICO	<u>✓</u>			<u>✓</u>

DATED: 12-11-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. J-311-90 on the 11th day of December, 1990,

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1990 at the hour of 9:00 o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of December, 1990, at the hour of 2:15 o'clock \_\_\_\_\_ M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 970 for the purchase and delivery of liquid chlorine for the Filtration Plant. The cost reflects the lowest and most responsive of four (4) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: 1991 annual bid for water treatment chemical - liquid chlorine approximately 124 tons. Liquid chlorine is added to the processed water supply for disinfection purposes.

EFFECT OF NON-PASSAGE: Drinking water quality would deteriorate and we would not be able to produce and distribute safe quality water.

*J-50-11-54*

MONIES INVOLVED: Jones Chemical \$11,302.60 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: Filtration P1 513-523-W154-4255

PRIOR APPROVAL:  
(IF APPLICABLE)

DATE:



BILL NO. S-90-11-54

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
MARK E. GIAQUINTA, VICE CHAIRMAN  
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding  
of Reference #970 by the City of Fort Wayne, Indiana, by and  
through its Department of Purchasing and JONES CHEMICALS, INC.  
for the Three Rivers Filtration Plant

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Paul M. Burns*  
*Mark E. Giaquinta*  
*Henry Long*  
*Samuel Talarico*

DATED: 12-11-90.

Sandra E. Kennedy  
City Clerk